

# Timeline of Events

Wednesday, September 12, 2018

12:31 PM

1. June 21-22, 2017: EPA inspection of a large Concentrated Animal Feeding Operation in northeast Juneau County, Wisconsin--Central Sands Dairy, LLC. (EPA Sampling Inspection Report, April 30 - May 3, 2018)
2. October 23-25, 2017: EPA sampled 13 private wells in northeast Juneau County. Sampling showed 6 wells had level of nitrates that exceeded the drinking water standard of 10 mg/L for Nitrates.
3. April 30 - May 3, 2018: EPA conducted a groundwater investigation in Armenia Township in northeast Juneau County. The investigation studied pollutants in groundwater, collecting groundwater from 5 private wells. The study also revealed that the region is comprised largely of sandstone aquifers with sandy top soil, creating significant ground water infiltration. The flow of groundwater within the study area is generally southeasterly in direction, towards Lake Petenwell.
  - a. EPA collected groundwater samples from 41 locations at two different depths (total of 82 samples).
  - b. Samples were analyzed for: nitrate, nutrients, organic carbon, anions, total dissolved solids, and total metals. (E. Coli was not tested.)
  - c. Many of the sites had nitrate levels that exceeded the MCL by 500%.
4. July 10, 2018: OECA WED respond to Region 5 July 9, 2018 message asking about the notification process for SDWA 1431 judicial matters.
5. July 11, 2018: Email from Carol King to WED management and staff about call from Chuck, noting that the Region is briefing this issue to their management and contact WED after.
6. July 12, 2018: Presented issue whether to take 1431 action and whether that action should be pursued judicially or administratively. (Regional briefing paper for meeting with Jim Payne on July 16, 2018.)
  - a. Briefing paper notes county has sampled an additional 104 wells, and over 40 wells with nitrate contamination above MCL.
  - b. Paper also notes that EPA will present EPA sampling results, but will not offer an interpretation of the data, at a July 18, 2018 public informational meeting being sponsored by Juneau County.
7. July 18, 2018: Continued discussion on options under SDWA 1431 in response to Jim Payne's questions.
  - a. Regional supplemental briefing paper notes mid-level management in the Region believes that "there is sufficient evidence to support a finding of imminent and substantial endangerment" depending on state and local action.
  - b. Paper notes 44 wells exceed the 10 mg/L MCL, and some wells ranged as high as 55.3 mg/L. (Regional supplemental briefing paper in response to Jim Payne's 6/16/18 questions.)
  - c. Paper addressed evidentiary concerns, noting that inspection and sampling reports are being generated and will be completed in mid-August, and all available evidence supports that land-application of fertilizer at these locations are primary cause of contamination.
    - i. Additionally, it notes that the third requirement (state and local inaction to address the matter) will become "clear very soon."
  - d. Notes that over 100 citizens attended the EPA, WDNR, WDATCP and County meeting. "A majority expressed interest in identifying the source of the contamination and expressed frustration that resources were not being provided for alternative water supplies, including treatment.
8. July 19, 2018: Responses to additional follow-up questions from Jim Payne.

- a. Discussed speed of spread of nitrate contamination.
  - b. Discussed estimated time frame for groundwater nitrate levels to drop. (Estimated that it could take over a decade for levels to drop significantly.)
  - c. Discussed comparative contribution to nitrate contamination. (83% from CSD)
9. July 25, 2018: OECA WED requests update on 1431 matter, inquiring whether this matter was briefed to Regional management and offering to assist in getting the issue ordered quickly.
10. July 25, 2018: Email from Rett Nelson to Rosemarie Kelly.
  - a. Rett notes that "immediate concern--providing an alternate source of water to owners of wells that have been contaminated, and identifying other owners of wells that have been contaminated—will be addressed through a voluntary agreement between WDNR and the company."
  - b. Notes that Region needs more information on the adequacy of the response and is going to meet with WDNR and AGC on July 30, 2018.
  - c. Rosemarie forwarded to WED.
11. July 25, 2018: Regional staff responded to OECA WED's request for an update with briefing papers for Jim Payne.
12. August 3, 2018: Letter from EPA Regional Office and WDNR stating that efforts to negotiate a voluntary agreement without a 1431 will continue.
13. Early August, 2018: In early August, after AGC was made aware of the sample results, AGC sent letters to the 48 homeowners at which EPA and the Counties identified MCL exceedances. AGC offered those homeowners bottled water and offered to add treatment systems to the wells at those homes.
  - a. As of August 22, 26 of the home owners have responded to the offer. 20 of those homeowners have accepted the bottled water and treatment system offer. Six of those homeowners have declined the offer. 22 homeowners have not responded to the AGC offer.
14. August 10, 2018: EPA provides first round of comments on MOU. Comments include: need for alternative water for longer than a two week period, point of use treatment, increased sampling area, etc.
15. August 17, 2018: Joe Theis email to Susan Bodine. States that EPA is providing comments on an MOU between WDNR and AGC. Also notes that if parties are unable to reach a mutually agreeable voluntary solution, SDWA 1431 emergency order remains a viable option.
16. August 23, 2018: Regional staff shares inadequacies of proposed MOU with WED staff.
17. August 30, 2018: The Counties sent us a proposed revision to the MOU. That revision still fails to address the major deficiencies.
18. August 31, 2018: RA recusal from this issue ends.
19. September 11, 2018: Regional staff forward draft of second joint letter to OECA WED. Regional staff does not agree with changes WDNR has made and notes the letter is "still under discussion."
20. September 12, 2018: OECA WED received inspection report from the region.
21. September 13, 2018: Regional staff brief Cathy Stepp; OCE briefs Susan Bodine on matter.